



California Regulatory Notice Register

REGISTER 2011, NO. 51-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

DECEMBER 23, 2011

PROPOSED ACTION ON REGULATIONS

TITLE 2. CALIFORNIA COMMISSION ON DISABILITY ACCESS

Conflict-of-Interest Code — Notice File No. Z2011-1213-05 2033

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict-of-Interest Code — Notice File No. Z2011-1213-03 2033

STATE AGENCY: **Adoption**

California Health Benefit Exchange

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict-of-Interest Code — Notice File No. Z2011-1213-04 2034

STATE AGENCY: **Amendment**

Office of Statewide Health Planning and Development

MULTI-COUNTY: Coalinga-Huron Unified School District

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

Diaprepes abbreviatus Eradication Area — Notice File No. Z2011-1213-08 2035

TITLE 4. CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY

Capital Access Program for Small Business — Notice File No. Z2011-1213-02 2037

TITLE 8. DEPARTMENT OF INDUSTRIAL RELATIONS

Conflict-of-Interest Code — Notice File No. Z2011-1213-07 2040

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

Road Rules, 2011 — Notice File No. Z2011-1213-11 2041

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

SRA Fire Safe Regulations Update, 2011 — Notice File No. Z2011-1213-10 2044

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

Wireless Communication Devices in CDCR Facilities — Notice File No. Z2011-1212-01 2046

(Continued on next page)

*Time-
Dated
Material*

TITLE 16. PHYSICIAN ASSISTANT COMMITTEE
Requirements for Preceptors — Notice File No. Z2011-1206-01 2048

TITLE 25. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Community Development Block Grant Program — Notice File No. Z2011-1213-09 2050

GENERAL PUBLIC INTEREST

DEPARTMENT OF FOOD AND AGRICULTURE
Revised Notice concerning Phytosanitary Certification (originally published December 16, 2011, Notice Register 2011, 50-Z, p. 1996) 2055

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State 2056

Sections Filed, July 20, 2011 to December 14, 2011 2061

The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. "Periodicals Postage Paid in Saint Paul, MN." **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.

TITLE 2. CALIFORNIA COMMISSION ON DISABILITY ACCESS

NOTICE OF INTENTION TO ADOPT A CONFLICT-OF-INTEREST CODE OF THE California Commission on Disability Access, (CCDA)

NOTICE IS HEREBY GIVEN that the **California Commission on Disability Access, (CCDA)**, pursuant to the authority vested in it by section 87300 of the Government Code proposes its Conflict-of-Interest Code.

The **CCDA** proposes to adopt its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. A written explanation of why each position was selected and the reasons for the disclosure categories is available.

The **CCDA** is to promote disability access in California through dialogue and collaboration with the business and disability communities. In order to achieve this mission the **CCDA** is authorized by California Government Code Sections 8299–8299.11 to act as an information resource; to research and prepare advisory reports of findings to the Legislature on issues related to disability access, compliance inspections and continuing education; to make recommendations to promote compliance with federal, and state laws and regulations, and to provide uniform information with regards to disability access requirements to the business and disability communities. Copies of the proposed code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed code by submitting them in writing no later than **February 6th 2012** or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested

person or the person's representative requests a public hearing, he or she must do so no later than **January 20th 2012** by contacting the Contact Person(s) set forth below.

The **California Commission on Disability Access, (CCDA)** has determined that the proposed code:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.
3. Imposes no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries should be directed to:

James V. Vitale, Executive Director
721 Capitol Mall, Suite 260
Sacramento, CA 95814
916-319-9970
jvitale1@gmail.com

Or

Angela Jemmott, Program Analyst
721 Capitol Mall, Suite 260
Sacramento, CA 95814
916-319-9972
angela.jemmott@dgs.ca.gov

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

ADOPTION

State Agencies: California Health Benefit Exchange

A written comment period has been established commencing on **December 23, 2011** and closing on **Febru-**

ary 6, 2012. Written comments should be directed to the Fair Political Practices Commission, Attention Cyndi Glaser, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for his review; unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **February 6, 2012**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the

proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Cyndi Glaser, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 327-5966.

AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Cyndi Glaser, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 327-5966.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

AMENDMENT

STATE: Office of Statewide Health
Planning and Development

MULTI COUNTY: Coalinga-Huron Unified School
District

A written comment period has been established commencing on **December 23, 2011** and closing on **February 6, 2012**. Written comments should be directed to the Fair Political Practices Commission, Attention Alexandra Castillo, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **February 6, 2012**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Alexandra Castillo, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Alexandra Castillo, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

Notice of Proposed Rulemaking

The Department of Food and Agriculture proposes to repeal Section 3591.19 of the regulations in Title 3 of the California Code Regulations pertaining to the *Diaprepes abbreviatus* Eradication Area.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed action to the Department. Comments may be submitted by mail, facsimile (FAX) AT 916.654.1018 or by email to lraings@cdfa.ca.gov. The written comment period closes at **5:00 p.m. on February 6, 2012**. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Lindsay Rains
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street Room 210
Sacramento, CA 95814
lrains@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impact on a representative private person or businesses: The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Repealing these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

Small Business Determination

The Department has determined that repealing these regulations will affect small business.

AUTHORITY AND REFERENCE

Food and Agricultural Code Sections 407 and 5322 authorize the Department to repeal these regulations. The proposed revisions are to a regulation that interprets and makes specific Sections 5761, 5762, and 5763 of the Food and Agricultural Code.

INFORMATIVE DIGEST/PLAIN ENGLISH OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts, and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761, 5762, and 5763).

Section 3591.19 was adopted and established *Diaprepes root weevil*, *Diaprepes abbreviatus*, as an actionable pest, the entire counties of Los Angeles, Orange and San Diego as eradication areas, hosts and possible carriers of the pest, and the means and methods that may be used in the eradication and control of this pest. The pest has been determined to be eradicated from Los Angeles, Orange, and San Diego counties and no quarantine has been in place since April of 2010. The proposed action would repeal the regulation. There is no existing, comparable federal regulation or statute.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Lindsay Rains
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street Room 210
Sacramento, CA 95814
lrains@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

In her absence, you may contact Stephen Brown at the same phone number.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (<http://www.cdfa.ca.gov/plant/regulations.html>).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all of the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons will be available upon request. Requests should be directed to the contact named above.

If the regulations amended by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of amendment. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named above.

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Rains at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Department may amend the proposed regulations substantially as described in this notice.

If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly

indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Lindsay Rains at the address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons will be posted on the Department's web site or a copy may be obtained by contacting Ms. Rains at the address listed above.

TITLE 4. CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The California Pollution Control Financing Authority (CPCFA and the "Authority"), organized and operating pursuant to Sections 44500 through 44563 of the California Health and Safety Code, proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

Proposed Regulatory Action

The Authority proposes to amend Sections 8070, 8072, 8073, and 8074 of Title 4 of the California Code of Regulations concerning the administration of the California Capital Access Program for Small Businesses (the "Program" and CalCAP). These regulations were readopted on an emergency basis in November 2011. The current rulemaking action would make these changes permanent.

Authority and Reference

Authority: Sections 44520(a) and 44559.5(f) of the Act authorize the Authority to adopt necessary regulations relating to the California Capital Access Loan Program (CalCAP) established by the Act.

Reference: Sections 44559–44559.12 of the Health and Safety Code. These amended regulations implement, interpret, and make specific Sections of the Act by amending Sections 8070, 8072, 8073, and 8074 of Title 4, Division 11, Article 7 of the California Code of Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Existing law establishes the California Capital Access Loan Program and authorizes the Authority to contract with specified financial institutions to make loans to eligible small businesses that are having trouble obtaining capital. (Health and Safety Code, § 44559.2.)

Under existing law, borrowers and lenders must pay a fee on CalCAP loans to the lender's loss reserve account. (Health and Safety Code, § 44559.3.) The Authority matches the fees paid by the lender to the Loss Reserve Account at 150 percent or 200 percent, depending on the funding source. (Health and Safety Code, § 44559.4(d).) The funds held in the lender's loss reserve account are the sole property of the Authority and are used to cover losses on any loan that the lender has enrolled in CalCAP. (Health and Safety Code, § 44559.5.)

The proposed amendments introduce a new type of qualified loan to the program, clarify program requirements, extend the timeframes that claims can be submitted, remove several program restrictions, and to ensure the regulations conform to the statute. These amendments are the result of periodic evaluation of the regulations and issues encountered during specific loan transactions. The proposed amendments and objectives for each section are as follows:

Section 8070(j). This proposed change would remove (1) from the reference to the Health and Safety Code Section 44559.4(d). The definition of "Matching Contribution" is adequately described in the Health and Safety Section 44559.4(d). By not specifying the subsection, it makes clear that CalCAP's matching contribution would apply to (d)(1) or (d)(2).

Section 8070(s). This proposed change would revise the definition of "Qualified Loan" to include TRAC Leases when Loan Loss Reserve contributions come from Independent Contributor Programs and clarify the types of loan enrollments that are eligible for enrollment in CalCAP. Enrollments of TRAC Leases will not differ from other enrollments in Independent Contributor Programs. Contributions into a lender's loan loss reserve will be made from the same funds that are already available through Independent Contributor Programs.

Section 8070(s)(4)(A). This proposed change would remove the phrase "any religious facility or organization" to allow enrollment for this type of loan. With this change, premiums for qualified loans for religious facilities or organizations could potentially be paid from any funding source.

Section 8070(s)(7). This proposed change would add the language "over a three-year period" to clarify the time limit for additional enrollments for borrowers who already have \$2.5 million enrolled.

Section 8070(w). This proposed change would add the definition of a TRAC Lease to give our lenders a better understanding of this new type of lending instrument that has been added to the program.

Section 8072(c)(3). This proposed change would remove the language "a non-profit" from information that must be provided about a business. We no longer need to verify this information about the borrower because the premiums can now be paid out of any funding source available to CalCAP.

Section 8072(c)(6). This proposed change would add TRAC Lease as an example of a Qualified Loan.

Section 8072(c)(9). This proposed change would add the language "or maturity date" to clarify the length of the loan. This additional language is a practice that CalCAP currently follows and adding it to the regulations will help clarify.

Section 8072(c)(26). This certification that "the borrower does not meet the Participating Financial Institution's normal underwriting criteria" would be removed in order to make CalCAP easier for our lenders to understand. The Fees associated with the Program make it clear that the borrower is in need of capital and would not otherwise get a loan without assistance from CalCAP.

Section 8073(f). This proposed change would add information needed to further explain the expected reporting requirements for our lenders. The Participating Financial Institution shall regularly provide information to the Authority regarding the status of enrolled loans, claims and recoveries.

Section 8074(a). This proposed change would extend the time limit that lenders have to inform CalCAP of claims from "30 days" to "120 days" and would also remove the language "by the Borrower" at the end of the section. Increasing the time limit helps ensure that the lender has more time to liquidate assets prior to filing for claim reimbursement. Removing "by the Borrower" allows a claim to be filed on a defaulted loan in which the default is other than the default of the borrower.

Section 8074(b). This proposed change would extend "30 days" to "120 days" in regards to lenders notifying CalCAP about claims. Modifying this time frame corresponds to the changes made in Section 8074(a).

Section 8074(d). This proposed change would improve the explanation of a claim reimbursement to clarify how reimbursements of interest and out-of-pocket expenses will be paid when only a portion of the loan has been enrolled in CalCAP.

Section 8074(e)(8). This proposed change would extend "30 days" to "120 days" in regards to lenders notifying CalCAP about claims. Modifying this time frame corresponds to the changes made in Section 8074(a).

Section 8074(e)(12). This certification would be removed from the regulations because it is no longer re-

quired with the addition of the change to Section 8073(f) that allows the Authority to obtain this information through regularly provided information from the Lender.

Section 8074(g). This proposed change would remove the language “(or any part of it) is among the first one million dollars of Qualified Loans made by a Participating Financial Institution and it” to simplify this section and to allow the lender to file multiple claims when a claim exhausts the loan loss reserve fund before reimbursing the entire claim. Once the funds in the loan loss reserve are replenished, additional claims to complete the eligible reimbursement can be filed.

Disclosures Regarding the Proposed Action

The Executive Director of the Authority has made the following determinations regarding the effect of the Amended Capital Access Regulations.

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None.

Other non-discretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Significant effect on housing costs: None.

Significant, statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: The Authority has made an initial determination that the amended CalCAP Regulations will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Assessment regarding effect on jobs/businesses: The amended CalCAP Regulations will not have a significant effect on the creation or elimination of jobs in California, significantly affect the creation of new businesses or elimination of existing businesses within California, or significantly affect the expansion of businesses currently doing business within California.

Cost impact on a representative private person or business: The Authority is not aware of any cost impacts that a representative, private person, or business would necessarily incur with reasonable compliance with the proposed action.

Small Business: The amended CalCAP Regulations will not have an adverse impact on small business in California. The proposed regulation will not signifi-

cantly affect small businesses because they do not impose additional costs on small businesses.

Consideration of Alternatives

In accordance with Government Code Section 11346.5(a)(13), the Authority must determine that no reasonable alternative to the amended CalCAP Regulations considered by the Authority or that have otherwise been identified and brought to the attention of the Authority would be more effective in carrying out the purpose for which the amended CalCAP Regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Authority invites interested persons to present statements with respect to alternatives to the amended CalCAP Regulations during the written comment period.

Agency Contact Person

Written comments, inquiries and any questions regarding the substance of the amended CalCAP Regulations shall be submitted or directed to:

Jillian Franzoia, Staff Services Analyst
California Pollution Control Financing Authority
915 Capitol Mall, Room 457
Sacramento, California 95814
Telephone: (916) 653-3993
Fax: (916) 657-4821
Email: jfranzoia@treasurer.ca.gov

Or:

Sherri Kay Wahl, Deputy Executive Director
California Pollution Control Financing Authority
915 Capitol Mall, Room 457
Sacramento, California 95814
Telephone: (916) 654-5951
Fax: (916) 657-4821
Email: swahl@treasurer.ca.gov

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments relevant to the amended CalCAP Regulations to the Authority. The written comment period on the amended CalCAP Regulations ends at **5:00 p.m. on February 6, 2012**. All comments must be submitted in writing to the Agency Contact Person identified in this Notice by that time in order for them to be considered by the Authority.

In the event that substantive changes are made to the amended CalCAP Regulations during the written comment period, the Authority will also accept additional

written comments limited to any changed or modified amended CalCAP Regulations for fifteen (15) calendar days after the date on which such amended CalCAP Regulations, as changed or modified, are made available to the public pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

Availability of Initial Statement of Reasons and Text of the Proposed Regulations

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office at 915 Capitol Mall, Room 457, Sacramento, California 95814, during normal business working hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons and the proposed text of the amended CalCAP Regulations. Copies of these items are available upon request from the Agency Contact Person designated in this Notice or at the Authority's website located at <http://www.treasurer.ca.gov/cpcfa/index.asp>.

Public Hearing

A public hearing regarding the amended CalCAP Regulations has been scheduled for **February 7, 2012 at 10:00 a.m. (PST) at 915 Capitol Mall, Room 470, Sacramento, CA 95814.**

Availability of Changed or Modified Text

After the written comment period ends and following a public hearing, if any is requested pursuant to Section 11346.8 of the Government Code, the Authority may adopt the amended CalCAP Regulations substantially as described in this Notice, without further notice. If the Authority makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least fifteen (15) calendar days before the Authority adopts the proposed amended CalCAP Regulations, as modified. Inquiries about and requests for copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice. The Authority will accept written comments on the modified regulations for fifteen (15) calendar days after the date on which they are made available.

Availability of Final Statement of Reasons

Upon completion, a copy of the Final Statement of Reasons may be requested from the Agency Contact

Person designated in this Notice or at the Authority's website at <http://www.treasurer.ca.gov/cpcfa/index.asp>.

TITLE 8. DEPARTMENT OF INDUSTRIAL RELATIONS

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE DEPARTMENT OF INDUSTRIAL RELATIONS

NOTICE IS HEREBY GIVEN that the Department of Industrial Relations, pursuant to the authority vested in it by Section 87306 of the Government Code, proposes amendment to its conflict-of-interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The Department of Industrial Relations proposes to amend its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

This amendment modifies the Appendix, which lists disclosure categories and designates positions, which is being changed to rename existing designated positions and to add designated positions. This amendment makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the Contact Persons set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than February 27, 2012, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Persons set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than February 10, 2012, by contacting the Contact Persons set forth below.

The Department of Industrial Relations has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Persons set forth below or on the DIR web site at

http://www.dir.ca.gov/ConflictOfInterest_CCR17000_2012.html.

The Department of Industrial Relations has determined that the proposed amendments:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.
3. Imposes no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

In making these proposed amendments, the Department of Industrial Relations must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons that the proposed amendments.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Linda Tejada
1515 Clay Street — 17th Floor
Oakland, California 94612
(510) 286-7050
ltejada@dir.ca.gov

Shawn Wrobel
455 Golden Gate Ave, Suite 9516
San Francisco, California 94102
(415) 703-4240
swrobel@dir.ca.gov

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

NOTICE OF PROPOSED RULEMAKING

“Road Rules, 2011”

The Board of Forestry and Fire Protection (Board) proposes to adopt the regulations of Title 14 of the California Code of Regulations (14 CCR) described below after considering all comments, objections, and recommendations regarding the proposed action.

Amend:

- § 895.1 Definitions
- § 914.7 [934.7, 954.7] Timber Operations, Winter

Period

- § 914.8 [934.8, 954.8] Tractor Road Watercourse Crossing
- § 915.1 [934.8, 954.8] Use of Heavy Equipment for Site Preparation
- § 916.3 [936.3, 956.3] General Limitations Near Watercourses, Lakes, Marshes, Meadows and Other Wet Areas
- § 916.4 [936.4, 956.4] Watercourse and Lake Protection
- § 916.9 [936.9, 956.9] Protection and Restoration of the Beneficial Functions of the Riparian Zone in Watersheds with Listed Anadromous Salmonids
- § 918.3 [938.3, 958.3] Roads to be Kept Passable
- Article 12 [Article 11. Northern] Logging Roads and Landings
- § 923 [943, 963] Logging Roads and Landings
- § 923.1 [943.1, 963.1] Planning for Roads and Landings
- § 923.2 [943.2, 963.2] Road Construction
- § 923.3 [943.3, 963.3] Watercourse Crossings
- § 923.4 [943.4, 963.4] Road Maintenance
- § 923.5 [943.5, 963.5] Landing Construction
- § 923.6 [943.6, 963.6] Conduct of Operations on Roads and Landings
- § 923.7 [943.7, 963.7] Licensed Timber Operator Responsibility for Roads and Landings
- § 923.8 [943.8, 963.8] Planned Abandonment of Roads, Watercourse Crossings, and Landings
- § 923.9 [943.9, 963.9] Roads and Landings in Watersheds with Listed Anadromous Salmonids
- § 923.9.1 [943.9.1] Measures for Roads and Landings in Watersheds with Coho Salmon
- § 1034 Contents of Plan
- § 1051.1 Contents of Modified THP
- § 1090.5 Contents of NTMP
- § 1090.7 Notice of Timber Operations Content
- § 1092.09 PTHP Contents
- § 1093.2 Contents of Road Management Plan
- § 1104.1 Conversion Exemptions

Adopt:

- § 923.10 [943.10, 963.10] Planning for Logging Road Watercourse Crossings
- § 923.11 [943.11, 963.11] Logging Road Watercourse Crossing Design and Implementation
- § 923.12 [943.12, 963.12] Logging Road Watercourse Crossing Mapping and Identification
- § 923.13 [943.13, 963.13] Logging Road Watercourse Crossing Construction and Reconstruction
- § 923.1.4 [943.14, 963.14] Logging Road Watercourse Erosion Control
- § 923.15 [943.15, 963.15] Logging Road Watercourse Use

- § 923.16 [943.16, 963.16] Logging Road Watercourse Crossing Maintenance and Monitoring
§ 923.17 [943.17, 963.17] Logging Road Watercourse Crossing Removal

PUBLIC HEARING

The Board will hold a public hearing on Wednesday, April 4, 2012, starting at 8:00 a.m., at the Resources Building Auditorium, 1st Floor, 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code § 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 p.m., on Monday, March 26, 2012. The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Eric Huff
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 4551, 4551.5, 4553, 4554.5, 4562.5, 4562.7, 4562.9, 4581, 4582, 4582.75, 4593, 4621, and 21082, Public Resources Code. Reference: Sections 4551, 4551.5, 4553, 4554.5, 4562.5, 4562.7, 4562.9, 4581, 4582, 4582.75, 4593, 4621, and 21080.5, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board is authorized under Public Resources Code Sections 4551, *et seq.* to adopt regulations, “. . .to assure the continuous growing and harvesting of commercial forest tree species and to protect the soil, air, fish and wildlife, and water resources, including, but not limited to, streams, lakes, and estuaries.” The Board is proposing a regulation to revise and improve upon existing protections of the aforementioned resources, most notably water resources, from the potentially adverse impacts associated with roads, landings, and watercourse crossings. In addition, the regulation is intended to reorganize all Forest Practice Rule sections associated with roads, landings, and watercourse crossings into a more coherent and useful format and location for the benefit of the regulated and regulator alike.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None.
- Costs or savings to any State agency: None.
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC § 17500: None.
- Other non-discretionary cost or savings imposed upon local agencies: None.
- Cost or savings in federal funding to the State: None.
- The Board has made an initial determination that there will be no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- Cost impacts on representative private persons or businesses: The board is not aware of any cost

impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- Significant effect on housing costs: None.
- Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.
- Effect on small business: None. The Board has determined that Commercial and non-industrial timberland owners and managers, Licensed Timber Operators, and Registered Professional Foresters are already compelled by existing regulations and resource stewardship principles to limit the potential for adverse impacts from roads, landings, and watercourse crossings. This rulemaking proposal represents a refinement of existing regulations for improved utility and clarity as well as state-of-the-art protection of the beneficial uses of water.
- The proposed rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Eric Huff
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-8031

The designated backup person in the event Mr. Huff is not available is Mr. George Gentry, Executive Officer of the California Board of Forestry and Fire Protection, at the above address and phone.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request. When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the Board web site at:

http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

NOTICE OF PROPOSED RULEMAKING

“SRA Fire Safe Regulations Update, 2011”

The Board of Forestry and Fire Protection (Board) proposes to adopt the regulations of Title 14 of the California Code of Regulations (14 CCR) described below after considering all comments, objections, and recommendations regarding the proposed action.

Amend:

§ 1270 SRA Fire Safe Regulations

PUBLIC HEARING

The Board will hold a public hearing on Wednesday, February 8, 2012, starting at 8:00 a.m., at the Resources Building Auditorium, 1st Floor, 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code § 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 p.m., on Monday, February 6, 2012. The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Eric Huff
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244–2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506–14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653–0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Public Resources Code Section 4290. References include Public Resources Code 4291.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board is authorized under Public Resources Code Sections 4290 to adopt regulations for wildfire protection. The statute, among other things, requires minimum wildfire protection standards in conjunction with building, construction and development in State Responsibility Area (SRA). The regulations set standards for future design and construction of structures, subdivisions and developments in SRA and provide for basic emergency access and perimeter wildfire protection. These measures provide for emergency access; signage and building numbering; private water supply reserves for emergency fire use; and vegetation modification. This regulation makes several revisions to the existing regulations for the purpose of improving regulatory clarity and uniform implementation of wildfire protection standards association with residential subdivision development.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None.
- Costs or savings to any State agency: None.
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC § 17500: None.
- Other non-discretionary cost or savings imposed upon local agencies: None.

- Cost or savings in federal funding to the State: None.
- The Board has made an initial determination that there will be no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- Cost impacts on representative private persons or businesses: The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Significant effect on housing costs: None.
- Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.
- Effect on small business: No effect to small business is anticipated as the proposed rulemaking merely clarifies existing statutory obligations for the purposes of increased utility and uniform application.
- The proposed rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Eric Huff
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-8031

The designated backup person in the event Mr. Huff is not available is Mr. George Gentry, Executive Officer of the California Board of Forestry and Fire Protection, at the above address and phone.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request. When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the Board web site at:

http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5, Penal Code (PC) Section 5058, in order to implement, interpret and make specific PC Section 5054, proposes to adopt and amend Sections 3000, 3006, 3170.1, 3172.1, 3173.2, 3315 and 3323 in the California Code of Regulations (CCR), Title 15 concerning wireless communication devices in CDCR facilities.

PUBLIC HEARING

Date and Time: February 9, 2012 — 10:00 a.m. to 11:00 a.m.
Place: Department of Corrections and Rehabilitation
Kern/Colorado Room
1515 S Street
Sacramento, CA 95811
Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close, February 9, 2012, at 5:00 p.m. Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883, Sacramento, CA 94283-0001
Telephone (916) 445-2269**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**Randy Blackwell, CCII
Regulation and Policy Management Branch
Telephone (916) 445-2220**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Kimberlyn Young, Associate Warden
Solano State Prison
Telephone (707) 451-0182 ext 3240**

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Section 17500 through 17630.

FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: See STD. 399 and attachment.
- Other nondiscretionary cost or savings imposed on local agencies: See STD. 399 and attachment.
- Cost or savings in federal funding to the state: See STD. 399 and attachment.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is deter-

mined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.

ASSESSMENTS OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION OR EXPANSION

The Department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons, than the proposed regulatory action. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the Department's website <http://www.cdcr.ca.gov>.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regu-

lations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the director. Commencing July 1, 2005, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

PC Section 5058.3 authorizes the Director to adopt, amend, or repeal emergency regulations conducted pursuant to Government Code Section 11340.

This action provides the following:

- The California Department of Corrections and Rehabilitation proposes to amend and or adopt sections 3000, 3006, 3170.1, 3172.1, 3173.2, 3315 and 3323 of the California Code of Regulations (CCR), Title 15, Division 3, governing cell phones/wireless communication devices and the components thereof within a secure perimeter.
- On October 5, 2011, Governor Edmond G. Brown signed into law emergency legislation Senate Bill (SB-26) which created a new crime as defined in Penal Code (PC) 4576 and became effective immediately upon signing. This new law contains the following elements:

Inmate Possession

An inmate in possession of a cell phone or wireless communication device shall be subject to credit forfeiture up to 90 days.

Smuggling

Any person, employee or nonemployee, who possesses a cell phone or wireless communication device with the intent to deliver, or delivers, to an inmate is guilty of a misdemeanor, punishable by six months in jail and a fine of up to \$5,000 per device.

Visitor Protection

Visitors who bring a cell phone or wireless communication device or any of its components into a prison without intent to deliver to an inmate shall have the device(s) or component(s) temporarily confiscated but will not be prosecuted.

- Governor Brown issued Executive Order B-11-11, ordering strong measures to be taken immediately to ensure public safety and the secure operations of California prisons.
- On December 9, 2011, a Certificate of Compliance was issued making the emergency regulation action permanent (OAL file no. 2011-1121-02EON) which incorporated and implemented new and revised rules governing cell phones/wireless communication devices and components thereof within a secure perimeter based on SB-26.
- Amends the definition of Dangerous Contraband to include cell phone/wireless communication devices or any components thereof and adds new language "or could be used to facilitate a crime or could be used to aid an escape." This will clarify existing language which has been found to create confusion to field staff, inmates and the public regarding dangerous contraband.
- Defines "Possession" and "Constructive Possession" as established by California Case Law.

TITLE 16. PHYSICIAN ASSISTANT COMMITTEE

NOTICE IS HEREBY GIVEN that the Physician Assistant Committee is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 2005 Evergreen Street, Hearing Room 1150, Sacramento, California, at 10:00 a.m., on 6 February 2012. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Con-

tact Person in this Notice, must be received by the Physician Assistant Committee at its office no later than 5:00 p.m. on 6 February 2012 or must be received by the Physician Assistant Committee at the hearing. The Physician Assistant Committee, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 3510 of the Business and Professions Code, and to implement, interpret or make specific Sections 3509 and 3513 of said Code, the Physician Assistant Committee is considering changes to Division 13.8 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code Section 3510 authorizes the Committee to adopt, amend, or repeal regulations as may be necessary to enable it to carry into effect the provisions of the Physician Assistant Practice Act. The Committee is proposing the following changes:

Amend Section: 1399.536

Business and Professions Code Section 3509(a) authorizes the Physician Assistant Committee to establish standards for the approval of programs for the education and training of physician assistants.

Existing regulations permit only physicians to act as preceptors for the training and education of physician assistant preceptees. This proposal would expand the type of licensed health care providers who may act as preceptors to include physician and surgeons, physician assistants, registered nurses who have been certified in advanced practice, certified nurse midwives, licensed clinical social workers, marriage and family therapists, licensed educational psychologists, and licensed psychologists.

The proposal would also require that the above-mentioned health care preceptors not have had the privilege to practice the profession for which they are licensed terminated, suspended, or otherwise restricted as a result of a final disciplinary action by any state healing arts licensing board or agency of the federal government within 5 years immediately preceding their participation in a preceptorship.

This proposal would require that the above-mentioned health care preceptors be sufficiently qualified to teach and supervise preceptees within the scope of their license.

This proposal would delete the requirement that a preceptor not be assigned to supervise more than one preceptee at a time.

This proposal would delete the requirement that the preceptor charge a fee for only those personal and identifiable services rendered. It would also delete the requirement that the services of the preceptee shall be considered as part of the global services provided and there shall be no separate billing for the services rendered by the preceptee.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500–17630 Require Reimbursement: None.

Business Impact:

The Physician Assistant Committee has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because it only affects preceptors and physician assistant preceptees.

The following studies/relevant data were relied upon in making the above determination: None.

Impact on Jobs/New Businesses:

The Physician Assistant Committee has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. This proposal may create additional jobs in the training and education of physician assistants by expanding the categories of licensed health care providers that may act as preceptors.

Cost Impact on Representative Private Person or Business:

The Physician Assistant Committee is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Physician Assistant Committee has determined that the proposed regulation would not affect small businesses because it only impacts preceptors and physician assistant preceptees.

CONSIDERATION OF ALTERNATIVES

The Physician Assistant Committee must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Physician Assistant Committee has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based. It may be obtained at the hearing or prior to the hearing upon request from the Physician Assistant Committee at 2005 Evergreen Street, Suite 1100, Sacramento, California 95815 or on the committee's website at: www.pac.ca.gov.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Physician Assistant Committee at 2005 Evergreen Street, Suite 1100, Sacramento, California 95815 or on the committee's website: www.pac.ca.gov.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written re-

quest to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Glenn Mitchell
Address: 2005 Evergreen Street, Suite 1100
Sacramento, CA 95815

Telephone No.: (916) 561-8783
Fax No.: (916) 263-2671
E-Mail Address: glenn.mitchell@mbc.ca.gov

The backup contact person is:

Name: Elberta Portman
Address: 2005 Evergreen Street, Suite 1100
Sacramento, CA 95815

Telephone No.: (916) 561-8782
Fax No.: (916) 263-2671
E-Mail Address: elberta.portman@mbc.ca.gov

Website Access: Materials regarding this proposal can be found at: www.pac.ca.gov.

TITLE 25. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

NOTICE OF PROPOSED RULEMAKING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

NOTICE IS HEREBY GIVEN that the Department of Housing and Community Development (Department) proposes to formally amend regulations, which govern implementation of the State Community Development Block Grant Program (CDBG). The existing regulations are codified in Title 25, Division 1, Chapter 7, Subchapter 2 (commencing with section 7050) of the California Code of Regulations.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. The written comment period begins December 23, 2011 and closes at 5:00 p.m. on February 6, 2012. The Department will consider comments received during this time-frame. Please address your email comments to Susan

Naramore at snaramore@hcd.ca.gov. Written comments can also be sent via mail to Susan Naramore, Department of Housing and Community Development, P.O. Box 952054, Sacramento, CA 94252-2054, or via fax to (916) 319-8488, attention Susan Naramore.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

AUTHORITY AND REFERENCE

The Department is conducting this rulemaking activity pursuant to the authority provided by Health and Safety Code Section 50406 and 24 CFR 570.489. The proposed regulations implement, interpret and make specific amendments to Chapter 12 (commencing with Section 50825) Part 2 of Division 31 of the Health and Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Health and Safety Code 50407 establishes that the Department is responsible for coordinating federal-state relationships in housing and community development. In conjunction with this responsibility, Health and Safety Code sections 50825-50834 direct the Department to allocate Federal Community Development Block Grant Program funds. The State of California receives money from the U.S. Department of Housing and Urban Development to make grants to eligible cities and counties. These regulations establish procedures for the award and disbursement of CDBG funds and establish policies and procedures for the use of these funds to meet the purposes contained in Title I of the Housing and Community Development Act of 1974 (The Act) as amended in 1981. These funds can be used for a variety of housing related, public infrastructure, public facility and public service activities provided the State, and the cities and counties comply with a comprehensive set of requirements prescribed by the Federal government regulations in 24 CFR 570.

The major purposes of the proposed changes are to increase the program's expenditure rate, provide for more competitive opportunity across a wider eligible applicant base, and balance workload with staff resources for both the Department and local jurisdictions. The proposed changes are summarized as follows:

Section: 7054. Definitions — The Department proposes to add or modify the following terms:

“Economic Development” — This definition is being added to clarify this term refers to the definition in the federal CDBG regulations.

“General” also known as “Community Development” — This definition is being added to clarify that the terms “General” and “Community Development” refer to the definitions used in the CDBG federal statute and federal regulations.

“NOFA” — To make clear that “NOFA” is the acronym for “Notice of Funding Availability” and it means the competition for these funds is now open.

“Overpayment” — To make clear that the applicable percentage of income that constitutes overpayment is 30%.

“Targeted Income Group” or “TIG” — To clarify this term means the same as the federal term, “Low or Moderate Income”.

ARTICLE 2: APPLICATION PROCESS

The Department seeks to add this heading to make clear the section demarcations for ease of locating referenced material in the regulations.

Section: 7056. Application and Funding Requirements — Amendments to this section do the following: (1) Rename this section for purposes of clarity to: Section: 7056. Funding Availability; (2) Allow all pertinent funding information to be announced in the NOFA. (3) Move all threshold and eligibility language into Section: 7060 Eligible Applicants; (4) Repeal multi-year contract language. (5) Move the program income language in original Subsection (C)(5) to Section 7104 — Program Income.

Section: 7058. Eligible Activities — Amendments to this section do the following: (1) List which activities are eligible. (2) State that all activities must meet state and federal public benefit statutes and regulations, as well as CDBG National Objective requirements.

Section: 7060. Eligible Applicants — Amendments to this section do the following: (1) Repeal language that discusses multiple application submissions and multi-year contracts; (2) Add language regarding the implementation of a 50% expenditure requirement; (3) Add language regarding submission of the OMB–A–133 Single Audit; (4) Replace all of the Housing Element language with a reference to the applicable statute; (5) Make clear the Economic Development Over-the-Counter component applications will remain separate from the other CDBG applications announced in the NOFA; and (6) Repeal language that permits an applicant to submit more than one application (other than Economic Development, Over-the-Counter Component) per NOFA.

Section 7062. Special Allocation for Native American Indian Communities — Amendments to this sec-

tion remove the word “Indian” from the title “Native American Indian”.

Section: 7062.1. Special Allocation for Economic Development — Amendments to this section will do the following:

1. Amend the section to make clear that Economic Development (ED) funds will be awarded through the newly proposed NOFA process as defined in Section 7056 and 7062.1;
2. Make clear the short-name for the Economic Development Over-the-Counter Component is ED OTC.
3. Amend Subsection (a)(1) to remove microenterprise assistance from the list of activities that require the Public Benefit (Jobs-for-Dollars) test.
4. Replace the word “insure” with the word “ensure” for grammatical correctness;
5. Amend (a)(5)(3) to state monitoring findings will no longer result in ineligibility to apply, but will rather result in point deductions on future applications;
6. Repeal all maximum grant amount language to bring the regulation in line with the statutes in sections 50832 and 50833 of the Health and Safety Code;
7. Make clear that all ED funds must be awarded within the Funding Cycle and at the end of the funding cycle, those unawarded funds will not be available for ED activities;
8. Make clear that the open and close dates for the ED OTC will be announced in the NOFA;
9. Repeal language about dates that the unawarded and returned funds will “roll” to the General Fund;
10. Repeal language regarding ED allocation percentage requirements that ended in 1995;
11. Repeal language regarding maximum percentages of the ED allocation that may be made available to the Enterprise Fund;
12. Repeal language regarding set timeframe between issuing the NOFA and the application deadline;
13. Clarify and provide a more detailed description on eligible activity categories;
14. Clearly define which activities are required to meet the public benefit tests and which ones are not;
15. Repeal the language regarding maximum grant amounts;
16. Repeal language about the Director possibly lowering maximums;
17. Repeal language stating what activities can be funded from a revolving loan fund;

18. Repeal the ED “jobs for dollars” (Public Benefit) language stating that there is a \$50,000 per job compliance demarcation to comply with State statute;
19. Repeal all language in section (b)(5–8) under Allocation Review Procedures and Evaluation Criteria;
20. Repeal language stating that applications will be rated and ranked and award letters issued within 80 calendar days of receipt of the application;
21. Repeal language regarding the ED Enterprise Fund underwriting and the level of funding that can be performed at a local level.
22. Repeal language that discusses when “unused” Enterprise Funds may be disencumbered by the Department as well as the definitions of “unused” funds.
23. Repeal language discussing using ED funds in the event of a military base closure.
24. Repeal language regarding ED OTC being issued through a separate NOFA;
25. Make clear that ED OTC applications will be accepted on a first-in, first-served basis, per statute.
26. Make clear that in the event two ED OTC applications come in at identical times, a tiebreaker process as announced in the NOFA will be used;
27. Repeal language that sets ED Over-The-Counter (OTC) maximums and repeal language regarding joint contracts.
28. Make clear that application evaluation criteria are subject to Sections 7070, 7076 and 7078.
29. Repeal language discussing application review timelines;
30. Repeal Subsection (d) in its entirety with some portions being moved to Section 7058 — Eligible Activities;
31. Repeal language stating that the maximum award for Economic Development Planning/Technical Assistance grants is \$35,000. Per Health and Safety Code Section 50833, maximum grant amounts shall be announced in the NOFA.
32. Repeal language stating that PTA applications will be rated and ranked and award letters issued within 60 calendar days of receipt of the application.

Section: 7064. Grant Funding — This section is being repealed. Issues addressed by this section are now addressed elsewhere in the regulation text.

Section: 7066. Procedure for Continuation of Funding — This section is being repealed because multi-year contracts are no longer being used.

Section: 7072. Submission of General Allocation and Native American Applications — This section is being repealed. Issues addressed by this section are now addressed elsewhere in the regulation text.

Section: 7074. Preliminary Review of Applications — This section is being repealed. Issues addressed by this section are now addressed elsewhere, or are procedures that are no longer being utilized.

Section: 7076. Award of Funds — Amendments to this section will do the following:

1. Clarify the federal and state funding constraints placed on the CDBG Allocation from HUD.
2. Repeal the original Subsection (a) which discussed the scoring mechanism previously used known as “the blender method.” This method will no longer be used.
3. Repeal original Subsection (b) discussing the possible partial funding of applications. This language has been moved to Section 7078(c).
4. Move the original Subsection (c) to Subsection (g) — the language is unchanged.
5. Repeal original Subsection (d) which discusses the timeframe in which rating and ranking will be completed.

Section: 7078. Evaluation Criteria — This section discusses application evaluation criteria. Amendments to this section will do the following:

1. Make clear that activities will be scored against other activities of the same kind;
2. Make clear that where demand for a particular activity exceeds the amount of funds available, the activities shall be rated and ranked according to the rating criteria set forth in this section and make clear that activities will be then funded in rank order.
3. Make clear that Planning and Technical Assistance (PTA) grants may be applied for on their own or within an application for other activities;
4. Make clear that the amount of funds available for funding PTAs will be allocated between both ways of applying and will be based on relative demand; and that they will be scored in a tiebreaker if needed;
5. Make clear that in the event there are insufficient funds to wholly fund an applicant’s activity, the applicant may be offered the amount of funds available if they are sufficient to complete the activity.

6. Clarify the categories and subcategories criteria upon which each application will be scored.
7. Make clear that PTA applications will be ranked only if the PTA allocation is oversubscribed and that the Department will use the tiebreaker mechanism as defined in the NOFA.
8. Discuss the unscored set-aside activity.
9. Make clear that ED OTC applications will be accepted on a first-in, first-served basis; that up to two years of funding may be applied for; that if a two year application is awarded, the jurisdiction may not apply for more funding until the third year; and that applications will be subject to the criteria set forth in Section 7062.1(c); and that the underwriting criteria in Appendix A to 24 CFR Part 570 will be applied.
10. Remove outdated and contradictory scoring categories and language.

Section: 7078.1 through Section: 7078.6 — These sections discuss the previous scoring categories. Amendments to these sections will remove outdated and contradictory scoring categories and language.

ARTICLE 3. OTHER PROGRAM REQUIREMENTS — The Department seeks to add this heading to make clear the section demarcations are for ease of locating referenced material in the regulations.

ARTICLE 4. GRANT ADMINISTRATION — The Department seeks to add this heading to make clear the section demarcations are for ease of locating referenced material in the regulations.

Section: 7097. Grant Agreement — The Department seeks to add this section to cite the applicable Grant Agreement requirements and CDBG statutes, and will clarify grantee responsibilities.

Section: 7104. Program Income — This section discusses the parameters of Program Income. Amendments to this section make clear the procedures and guidelines are required for use in local program income.

IMPACT OF PROPOSED REGULATIONS

LOCAL MANDATE

The Department has determined that these regulations do not impose a mandate on local agencies or school districts. Eligibility for the program is limited to entities demonstrating willingness and capacity to develop and administer Community and Economic Development programs and projects. In all cases, participation in the program is voluntary.

FISCAL IMPACT

The Department has determined that no savings or increased costs to any State agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in Federal funding to the State will result from the proposed action.

EFFECT ON SMALL BUSINESS

The Department has determined that the proposed action has no impacts on small business because participation in the CDBG Program is voluntary.

EFFECT ON HOUSING COSTS

The Department has determined that the proposed action has no significant impact on housing costs in California.

INITIAL DETERMINATION OF STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES

The Department has made the initial determination the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

ASSESSMENT STATEMENT

The Department has determined the regulations will not negatively affect the creation or elimination of jobs in California; the creation of new businesses or the elimination of existing businesses within California. However, the implementation of the 50% Rule incentivizes jurisdictions to rapidly spend their funds, thereby increasing the opportunity to create and retain jobs in their communities. In all cases, participation in the program is voluntary.

The proposed regulations do not, in any way, impact the total amount of funding being distributed to eligible non-entitlement communities. The impact on business expansion, as a result of these funds, is unknown. The funding is distributed to eligible non-entitlement cities and counties in California, and they in turn use the funds to make loans to businesses and persons for economic support and expansion. The amount of funds available for Economic Development will be unchanged and unaffected by this regulation change.

**COST IMPACTS ON PRIVATE PERSONS OR
BUSINESSES DIRECTLY AFFECTED**

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. While private businesses (including non-profits) and individuals are eligible to receive program funds under the program, participation is voluntary.

**AVAILABILITY OF TEXT OF PROPOSED
REGULATIONS AND STATEMENT OF REASONS**

The text of the proposed regulations, the Initial Statement of Reasons (which provides the reasons for the proposals), and the Notice of Public Rulemaking, all prepared by the Department, are available on the Department's website at <http://www.hcd.ca.gov/fa/cdbg/about.html>. All information the Department is considering as a basis for this proposal is maintained in a rulemaking file, which is available for inspection at the address noted below. Copies can be obtained by contacting Susan Naramore at the address and telephone number noted below.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

Following the written comment period, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications, which are sufficiently related to the originally proposed text, it will make the modified text—with changes clearly indicated—available. With the exception of technical and grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting Susan Naramore at the address and telephone number noted below.

**AVAILABILITY OF FINAL STATEMENT
OF REASONS**

At the conclusion of this rulemaking, a Final Statement of Reasons will be prepared as required by Government Code section 11346.9. This document will be available from the contact person named below.

ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department or that has been otherwise identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed regulations.

The Department invites public comment on alternatives to the regulations.

CONTACT PERSON

HCD: SUSAN NARAMORE
(916) 319-8441

HCD BACK-UP: LENORA FRAZIER
(916) 323-7288

HCD Address: California State Department of
Housing and Community
Development
1800 Third Street, Room 390
Sacramento, CA 95814

HCD Website: Copies of the Notice of Proposed
Rulemaking, the Initial State-
ment of Reasons, and the text of
the regulations may be accessed
through our website at:
[http://www.hcd.ca.gov/fa/cdbg/
about.html](http://www.hcd.ca.gov/fa/cdbg/about.html)

HCD Facsimile No: (916) 319-8488

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period. Inquiries concerning the substance of the proposed rulemaking action, as well as requests for the documents noted should be directed to:

Susan Naramore, CDBG Program Specialist
Department of Housing and Community
Development
1800 Third Street, Suite 330
Sacramento, CA 95814
Telephone: (916) 319-8441
Fax: (916) 319-8488
E-mail: snaramore@hcd.ca.gov

GENERAL PUBLIC INTEREST

DEPARTMENT OF FOOD AND AGRICULTURE

REVISED NOTICE OF PROPOSED ACTION

[Editor's Note: The Department of Food and Agriculture is publishing this revised notice that was originally published in the December 16, 2011 Notice Register (Register 2011, No. 50-Z, p. 1996). The revision is located under the "Disclosures Regarding the Proposed Action" and is indicated by underline.]

Notice of Proposed Rulemaking

45-Day Notice

The Department of Food and Agriculture proposes to amend Section 4603, Schedule of Charges, by adopting a new subsection (i), pertaining to service charges for Phytosanitary Certification in Title 3, Division 4, of the California Code of Regulations.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to sbrown@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on January 30, 2012. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Stephen Brown
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
sbrown@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing State law provides that the Department, for the purpose of enhancing the State's business and trade opportunities, may perform non-regulatory services such as export market phytosanitary certification. The Department may also establish charges sufficient to recover its costs for providing non-regulatory services (Food and Agricultural Code, Section 5851). Existing law also provides that the Department may establish, by regulation, a schedule of charges to cover the Department's costs for the specific services it provides such as export market phytosanitary activities (Food and Agricultural Code, Section 5851). Existing law also provides that regulations establishing charges adopted by the Secretary shall not be subject to review, approval, or disapproval by the Office of Administrative Law (Food and Agricultural Code, Section 5852).

Existing federal regulation establishes that states may charge to recover their costs for providing federal phytosanitary certification services, including the delivery, support and administrative costs, divided by the number of certificates issued to develop a "cost-per-certificate" (Code of Federal Regulations, Title 7, Chapter III, Section 354.3(5) [7 CFR § 354.3(5)]).

The proposed action will establish Section 4603, Schedule of Charges, subsection (i), the Department's schedule of charges for providing phytosanitary certification services for both the State and federal certificates issued in California; except those issued directly by the United States Department of Agriculture staff. The effect of the proposed regulations will be to provide authority for the Department to recover its costs for providing such non-regulatory services and to enable the client that requests the service to understand the Department's costs and billing procedures.

There is no existing, comparable federal regulation or statute.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.
Cost or savings to any state agency: None.
Cost to any local agency or school district which must be reimbursed in accordance with Government Code

sections 17500 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. However, a representative private person or business would incur costs of \$5.30 per phytosanitary certificate issued and \$125 annually to participate under the terms of a Master Permit should they request these services.

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

AUTHORITY

The Department proposes to adopt Section 4603(h) pursuant to the authority vested by Sections 407, 5851 and 5852 of the Food and Agricultural Code.

REFERENCE

The Department proposes to adopt Section 4603(h) to implement, interpret and make specific Sections 5851 and 5852 of the Food and Agricultural Code.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed

actions, location of the rulemaking files, and request for a public hearing may be directed to is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Lindsay Raines at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site (www.cdfa.ca.gov/phpps/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2011-1026-01

AIR RESOURCES BOARD

Part 2: Truck/Bus 2010: Tractor-Trailer Regulation

This rulemaking action by the Air Resources Board (ARB) amends sections 95300-95311 of, and adds section 95312 to, title 17 of the California Code of Regulations (CCR). These sections comprise the Heavy-Duty Vehicle Greenhouse Gas Emission Reduction (Tractor-Trailer GHG) regulation, which was first adopted in December of 2008. The Tractor-Trailer GHG regulation is one of the emission-reducing measures identified in ARB's Scoping Plan, designed to meet the goals of AB 32.

The Tractor-Trailer GHG regulation requires certain new and existing long-haul tractors and 53-foot or longer box-type trailers to be United States EPA SmartWay certified or retrofitted with SmartWay verified aerodynamic technologies and low-rolling-resistance tires when they operate on California highways. The regulation exempts vehicles that do not travel at highway speeds, where the technologies are most efficient, from some or all of the requirements. Fleets currently have the option of retrofitting affected vehicles by following one of two compliance schedules: early compliance or phase-in compliance.

These amendments provide fleets another opportunity to opt-in to the phase-in compliance option. ARB staff believes many fleets were not aware of the Tractor-Trailer GHG regulation and missed the July 1, 2010 deadline to participate in the phase-in compliance plan. The amendment also provides fleets with additional flexibility in meeting the requirements of this regulation, such as easing reporting requirements and including various temporary, short-term exemptions for specific circumstances.

Title 17

California Code of Regulations

ADOPT: 95312 AMEND: 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, 95311

Filed 12/12/2011

Effective 01/11/2012

Agency Contact: Trini Balcazar (916) 445-9564

File# 2011-1027-06

AIR RESOURCES BOARD

Cap and Trade Program

This is the adoption of regulations to implement a cap and trade program for the reduction of greenhouse gases, implementing the Global Warming Solutions Act of 2006 (AB 32).

Title 17

California Code of Regulations

ADOPT: 95801, 95802, 95810, 95811, 95812, 95813, 95814, 95820, 95821, 95830, 95831, 95832, 95833, 95834, 95840, 95841, 95841.1, 95850, 95851, 95852, 95852.1, 95852.1.1, 95852.2, 95853, 95854, 95855, 95856, 95857, 95858, 95870, 95890, 95891, 95892, 95910, 95911, 95912, 95913, 95914, 95920, 95921, 95922, 95940, 95941, 95942, 95970, 95971, 95972, 95973, 95974, 95975, 95976, 95977, 95977.1, 95977.2, 95978, 95979, 95980, 95980.1, 95981, 95981.1, 95982, 95983, 95984, 95985, 95986, 95987, 95988, 95990, 95991, 95992, 95993, 95994, 95995, 96010, 96011, 96012, 96013, 96014, 96020, 96021, 96022

Filed 12/13/2011

Effective 01/01/2012

Agency Contact: Amy Whiting (916) 322-6533

File# 2011-1028-04

AIR RESOURCES BOARD

Part 3: Truck and Bus Regulation

ARB amended title 13, California Code of Regulations, section 2025, referred to as the truck and bus regulation. The purpose of amendments is to provide some degree of economic relief to the industry by providing greater flexibility for complying with the regulation while maintaining state compliance with air quality standards under state and federal law.

Title 13

California Code of Regulations

AMEND: 2025

Filed 12/14/2011

Effective 12/14/2011

Agency Contact: Trini Balcazar (916) 445-9564

File# 2011-1028-03

AIR RESOURCES BOARD

Off-Road Diesel-Fueled Fleets and Large Spark-Ignition Engine Fleet Requirements

This regulatory action amends regulations for In-Use Off-Road Diesel-Fueled Fleets (sections 2449-2449.3) and for Large Spark-Ignition Engine Fleet Requirements (sections 2775-2775.2). These amendments provide additional compliance flexibility while ensuring that California meets its obligations to attain federal ambient air quality standards under the federal Clean Air Act. The amendments simplify the regulations' requirements and provide fleets with more compliance options in determining how and when to bring their vehicles into compliance.

Title 13

California Code of Regulations

AMEND: 2449, 2449.1, 2449.3 (renumbered to 2449.2), 2775, 2775.1, 2775.2 REPEAL: 2449.2

Filed 12/14/2011

Effective 12/14/2011

Agency Contact:

Trini Balcazar

(916) 445-9564

File# 2011-1028-05

AIR RESOURCES BOARD**Mandatory Reporting of Greenhouse Gas Emissions Regulation**

This regulatory action amends and adopts provisions for the mandatory reporting of greenhouse gas emissions pursuant to the California Global Warming Solutions Act of 2006. The purpose of these revisions is to harmonize with the U.S. Environmental Protection Agency national greenhouse gas reporting requirements and to ensure accuracy in reporting to support a California greenhouse gas market-based cap-and-trade system.

Title 17

California Code of Regulations

ADOPT: 95116, 95117, 95118, 95119, 95120, 95121, 95122, 95123, 95129, 95150, 95151, 95152, 95153, 95154, 95155, 95156, 95157 AMEND: 95100, 95101, 95102, 95103, 95104, 95105, 95106, 95107, 95108, 95109, 95110, 95111, 95112, 95113, 95114, 95115, 95130, 95131, 95132, 95133 REPEAL: 95125

Filed 12/14/2011

Effective 01/01/2012

Agency Contact: Trini Balcazar

(916) 445-9564

File# 2011-1129-02

CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE**Administration of California's Limited Tax-Exempt Debt Authority**

The California Debt Limit Allocation Committee (CDLAC) submitted this resubmittal of OAL File No. 2011-1011-02E. In this deemed emergency action, CDLAC made various amendments to their title 4 regulations and related incorporated forms, mainly related to housing projects for lower income families and individuals and for preserving and rehabilitating existing governmental assisted housing for lower income families and individuals.

Title 4

California Code of Regulations

ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133

Filed 12/09/2011

Effective 12/09/2011

Agency Contact:

Misti Armstrong

(916) 653-3461

File# 2011-1101-03

CALIFORNIA HORSE RACING BOARD**Application For License to Conduct a Horse Racing Meeting**

This regulatory action amends Title 4 section 1433 of the California Code of Regulations by amending two incorporated forms. The forms are the CHRB-17 and the CHRB-18. The amendment to these forms requires more detailed financial information and information regarding purse figures and attendance for past and current race meetings. Changes also include the requirement that an applicant provide proof that the required paramedic staff is licensed. Another amendment requires a copy of the promotional and marketing plans for the race meeting. There are several other changes made to reflect statutory changes.

Title 4

California Code of Regulations

AMEND: 1433

Filed 12/07/2011

Effective 01/06/2012

Agency Contact: Andrea Ogden

(916) 263-6033

File# 2011-1027-02

DEPARTMENT OF CORRECTIONS AND REHABILITATION**Parole Assessments — Highest Control or Risk**

Penal Code section 3060.7 requires that any person released on parole who has been classified by the Department of Corrections and Rehabilitation (Department) as included within the highest control or risk classification to report to his or her assigned parole officer within two days of release from state prison. The Department adopted sections 3504.1 and 3504.2 in title 15 of the California Code of Regulations to establish the highest control or risk parole classification and the reporting requirements for parolees in this classification.

Title 15

California Code of Regulations

ADOPT: 3504.1, 3504.2

Filed 12/13/2011

Effective 01/12/2012

Agency Contact: Sarah Pollock

(916) 255-5605

File# 2011-1121-02

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Wireless Communication Devices/Cell Phones

On October 5, 2011, Governor Edmund G. Brown Jr. signed into law urgency legislation (Senate Bill 26) which took effect immediately enacting section 4576 of the Penal Code concerning wireless communication devices in prisons. The Department of Corrections and Rehabilitation has certified as an Operational Necessity under Penal Code section 5058.3 that amendments to sections 3000, 3006, 3170.1, 3172.2, 3173.2, 3315, and 3323 of title 15 of the California Code of Regulations be adopted as an emergency to implement the changes made by the adoption of section 4576 of the Penal Code.

Title 15

California Code of Regulations

AMEND: 3000, 3006, 3170.1, 3172.1, 3173.2, 3315, 3323

Filed 12/09/2011

Effective 12/09/2011

Agency Contact:

Randy Blackwell (916) 445-2220

File# 2011-1028-01

DEPARTMENT OF INDUSTRIAL RELATIONS

Labor Compliance Programs/ Compliance Monitoring and Enforcement by DIR

This rulemaking action is a Government Code Section 11346.1(e) certification action which amends regulations in Title 8 of the California Code of Regulations to implement Senate Bill X2-9, Chapter 7 of 2009, and Assembly Bill 436, Chapter 378 of 2011. The regulatory action amends regulations governing prevailing wage monitoring and enforcement requirements on state-bond funded and other specified public works projects.

Title 8

California Code of Regulations

ADOPT: 16450, 16451, 16452, 16454, 16455

AMEND: 16423, 16433 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455

Filed 12/07/2011

Effective 01/01/2012

Agency Contact: John Cumming (415) 703-4265

File# 2011-1110-01

DEPARTMENT OF JUSTICE

Department of Pesticide Regulation bond form

The Department of Justice for the Department of Pesticide Regulation is adopting section 117.1, title 11,

California Code of Regulations (Pest Control Business Licensees Bond).

Title 11

California Code of Regulations

ADOPT: 117.1

Filed 12/08/2011

Effective 12/08/2011

Agency Contact: Karen W. Yiu (415) 703-5385

File# 2011-1121-03

FAIR POLITICAL PRACTICES COMMISSION

Enforcement Regulations

This regulatory action adds provisions concerning the liability of a treasurer; clarifies that the time within which the Executive Director may take specified actions is calendar days; amends the actions the Executive Director must take with respect to complaints; requires that probable cause proceedings shall be heard by the General Counsel or other attorney from the Legal Division; makes changes to probable cause proceedings; and adopts the process for default proceedings.

Title 2

California Code of Regulations

ADOPT: 18316.6, 18361.11 AMEND: 18360, 18361, 18361.4

Filed 12/07/2011

Effective 01/06/2012

Agency Contact:

Virginia Latteri-Lopez (916) 324-3854

File# 2011-1101-04

FISH AND GAME COMMISSION

Marine Protected Areas

This regulatory action implements the Marine Life Protection Act (MLPA, Statutes of 1999, Chapter 1015) in the south coast region, which is from Point Conception in Santa Barbara County to the California-Mexico border. It eliminates several marine protected areas (MPAs), establishes several new MPAs, renames a few MPAs and revises the borders of some MPAs, resulting in a total of 36 MPAs in the south coast region. The south coast is the third of five regions to be implemented through the MLPA. The central and north central coast regional regulations were adopted in April 2007 and August 2009, respectively.

Title 14

California Code of Regulations

AMEND: 632

Filed 12/08/2011

Effective 01/01/2012

Agency Contact:

Sherrie Fonbuena (916) 654-9866

File# 2011-1129-04

MANAGED RISK MEDICAL INSURANCE BOARD**MIP Paid Surrogacy Exclusion**

The Major Risk Medical Insurance Program (MRMIP) is operated by the Managed Risk Medical Insurance Board (Board). MRMIP provides health insurance for Californians unable to obtain coverage in the individual health insurance market because of their pre-existing conditions. One of the benefits offered by MRMIP is comprehensive maternity care. Californians qualifying for the program participate in the cost of their coverage by paying premiums. The premiums are subsidized through the Cigarette and Tobacco Surtax (Proposition 99). The Board receives a limited appropriation for MRMIP and has an enrollment cap.

This emergency regulatory action provides that, effective on or after February 1, 2012, maternity care for a subscriber who serves as a paid surrogate is an excluded benefit. This emergency regulatory action also defines "agreement to serve as a paid surrogate mother" for purposes of this excluded benefit.

Title 10

California Code of Regulations

AMEND: 2698.302

Filed 12/09/2011

Effective 12/09/2011

Agency Contact: Dianne Knox (916) 324-0592

File# 2011-1129-05

MANAGED RISK MEDICAL INSURANCE BOARD**AIM Paid Surrogacy Exclusion**

The Access to Infants and Mothers (AIM) program is a state and federally-funded program administered by the Managed Risk Medical Insurance Board (Board). The AIM program provides low cost health insurance coverage to uninsured, middle income pregnant women. The total cost is 1.5% of the subscriber's adjusted annual household income. The State of California and the Federal Government supplement the subscriber contribution to cover the full cost of care.

In AIM, paid surrogacy is currently not an excluded benefit. This emergency rulemaking action provides that maternity care is an excluded benefit under the AIM program for a subscriber who (a) enrolled in the program with an effective date on or after February 1, 2012, and (b) has entered into an agreement to serve as a paid surrogate mother. This emergency regulatory action also defines "agreement to serve as a paid surrogate mother" for purposes of this excluded benefit. Pursuant to Insurance Code section 12696.05(h)(2), this emer-

gency regulatory action is a deemed emergency and exempt from OAL's review.

Title 10

California Code of Regulations

AMEND: 2699.301

Filed 12/09/2011

Effective 12/09/2011

Agency Contact: Dianne Knox (916) 324-0592

File# 2011-1101-02

MEDICAL BOARD OF CALIFORNIA**Disciplinary Guidelines**

In this regulatory action, the Medical Board of California (Board) amends its "Manual of Model Disciplinary Orders and Disciplinary Guidelines." This manual includes model disciplinary orders and conditions which may be issued to Board licensees for various disciplinary violations and a "recommended range of penalties for violations."

Title 16

California Code of Regulations

AMEND: 1361

Filed 12/12/2011

Effective 01/11/2012

Agency Contact:

Kevin A. Schunke (916) 263-2368

File# 2011-1025-01

NATURAL RESOURCES AGENCY**CEQA Appendix D and Appendix E**

This non-substantive amendment is submitted to reflect recently enacted changes to the Public Resources Code. This amendment is operative 1/1/2012 pursuant to AB 320, Hill, signed 10/10/2011, effective 1/1/2012.

Title 14

California Code of Regulations

AMEND: 15062, 15075, 15094, Appendix D and Appendix E

Filed 12/09/2011

Agency Contact: Heather Baugh (916) 653-8152

File# 2011-1102-05

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**Soil Classification**

Pursuant to Section 100 of Title 1 of the California Code of Regulations (CCR), the Occupational Safety and Health Standards Board is correcting a spelling error in Section 1541.1, Appendix A, of Title 8 of the CCR.

Title 8
California Code of Regulations
AMEND: 1541.1
Filed 12/12/2011
Agency Contact: Marley Hart (916) 274-5721

File# 2011-1027-04
**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD**
General Conditions in Shipyard Employment

This File and Print action adopts and conforms California regulations to federal standards governing General Working Conditions in Shipyard Employment revised by Fed OSHA on May 2, 2011.

These provisions are adopted pursuant to Labor Code 142.3(a).

Title 8
California Code of Regulations
ADOPT: 8351, 8356, 8376.1, 8378.1, 8387, 8391.1, 8391.2, 8391.4, 8391.5, 8391.6, 8397.6 AMEND: 5194.1, 8354, 8376, 8378, 8384, 8391, 8391.3, 8397.2, 8397.3, 8397.4, 8397.5
Filed 12/13/2011
Effective 12/13/2011
Agency Contact: Marley Hart (916) 274-5721

File# 2011-1027-03
OFFICE OF SPILL PREVENTION AND RESPONSE
Oil Spill Prevention and Administration Fund Fee

Pursuant to the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990, the Office of Spill Prevention and Response ("OSPR") is required to establish the "best achievable protection" of California's natural resources against oil spills in the marine waters. One of the issues to be considered, among others, is cost. OSPR has established what many consider the most stringent protection in the nation with respect to oil spills in California's marine waters. The Administrator is entitled to collect a "per barrel" fee for oil and petroleum products entering the State through, across or in State marine waters. The fee is to be "sufficient to carry out the purposes set forth in subdivision (e)[of Government Code section 8670.40], and a reasonable reserve for contingencies." From January 1, 2012 to January 1, 2015, the fee cannot exceed six and one half cents (\$0.065) per barrel. From January 1, 2015 on, the fee cannot exceed five (\$0.05) (pursuant to statute).

Title 14
California Code of Regulations
AMEND: 870.17, 870.19
Filed 12/07/2011
Agency Contact:
Joy D. Lavin-Jones (916) 327-0910

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN July 20, 2011 TO
December 14, 2011**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

12/07/11 ADOPT: 18316.6, 18361.11 AMEND: 18360, 18361, 18361.4
11/22/11 AMEND: 559
11/08/11 ADOPT: 18421.31
10/27/11 AMEND: 18404.1
10/26/11 ADOPT: 18237
10/18/11 AMEND: 1859.166.2
10/17/11 AMEND: 25001
10/12/11 AMEND: 59690
10/05/11 ADOPT: 649.21
09/27/11 ADOPT: 599.506(f) AMEND: 599.502(f)
09/21/11 AMEND: 1859.90.2
09/08/11 AMEND: 1859.2, 1859.82
09/07/11 ADOPT: 10000, 10001, 10002, 10003, 10004, 10005, 10006, 10007, 10008, 10009, 10010, 10011, 10012, 10013, 10014, 10015, 10016, 10017, 10018, 10019, 10020, 10021, 10022, 10023, 10024, 10025, 10026, 10027, 10028, 10029, 10030, 10031, 10032, 10033, 10034, 10035, 10036, 10037, 10038, 10039, 10040, 10041, 10042, 10043, 10044, 10045, 10046, 10047, 10048, 10049, 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060, 10061, 10062, 10063, 10064, 10065, 10066
09/06/11 AMEND: 29000
09/01/11 ADOPT: 58600 REPEAL: 58600
09/01/11 AMEND: 54200
09/01/11 AMEND: 54600
08/08/11 ADOPT: 59700
07/27/11 AMEND: 1859.90.2, 1859.81

Title 3

12/05/11 AMEND: 1408.6
11/29/11 AMEND: 3591.15(a)
11/14/11 AMEND: 3437(b)
11/10/11 AMEND: 6000, 6361, 6400, 6460, 6464, 6470, 6502, 6512, 6524, 6560, 6562,

	6564, 6625, 6626, 6625, 6632, 6728, 6761, 6780		AMEND: 11960, 11965, 11969 (renumbered 11968.1), 11969.1
11/10/11	AMEND: 3589(a)	10/27/11	ADOPT: 4800, 4800.1, 4800.3, 4800.5, 4801, 4802, 4802.05, 4802.1, 4802.2, 4803, 4804, 4805, 4806, 4807, 4808
10/26/11	AMEND: 1430.142		
10/19/11	AMEND: 3423(b)	10/24/11	ADOPT: 11966.4, 11966.5, 11966.6, 11966.7 AMEND: 11967, 11967.5.1
10/12/11	AMEND: 3906		
10/10/11	ADOPT: 3591.25	10/18/11	ADOPT: 10120.1, 10121
10/10/11	AMEND: 3423(b)	09/22/11	ADOPT: 80069.2 AMEND: 80070
09/29/11	AMEND: 3434(b)(8)	09/19/11	ADOPT: 30001.5
09/28/11	AMEND: 3425(b)	09/19/11	ADOPT: 74112, 75020, 75030, 75040, 75050, 75150, 75200, 75210 AMEND: 74110
09/19/11	AMEND: 3423(b)		
09/15/11	AMEND: 3591.2(a)	08/15/11	ADOPT: 19817.2, 19817.5, 19840, 19846.1 AMEND: 19815, 19816, 19816.1, 19817.1, 19846
09/07/11	AMEND: 3591.2(a)		
08/23/11	ADOPT: 6131 AMEND: 6128, 6130	08/15/11	ADOPT: 40050.2
08/23/11	ADOPT: 1392.4.1 AMEND: 1392, 1392.1, 1392.2, 1392.4, 1392.6, 1392.8.1, 1392.9, 1392.11	08/15/11	ADOPT: 40050.3
08/03/11	AMEND: 3437(b)	08/15/11	AMEND: 40100.1
07/28/11	REPEAL: 1400.9.1	08/15/11	AMEND: 40404
Title 4		08/15/11	AMEND: 40405.1
12/09/11	ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133	08/15/11	ADOPT: 40509
12/07/11	AMEND: 1433	08/15/11	ADOPT: 40513
12/05/11	AMEND: 10325(c)(8)	08/15/11	ADOPT: 40514
11/28/11	AMEND: 1632	08/15/11	ADOPT: 40515
11/07/11	AMEND: 8070, 8072, 8073, 8074	08/15/11	ADOPT: 40516
11/03/11	AMEND: 10152, 10153, 10154, 10155, 10157, 10159, 10160, 10161, 10162 REPEAL: 10156, 10158, 10164	08/15/11	ADOPT: 41021
10/04/11	AMEND: 1658	08/15/11	ADOPT: 41022
09/30/11	AMEND: 12100, 12101, 12200.3, 12200.5, 12200.6, 12200.9, 12200.10B, 12200.14, 12202, 12205.1, 12218, 12218.7, 12218.8, 12220.3, 12220.5, 12220.6, 12220.14, 12222, 12225.1, 12233, 12235, 12238, 12300, 12301.1, 12309, 12350, 12354, 12358, 12359, 12362, 12400, 12404, 12463, 12464	08/04/11	ADOPT: 1039.1
09/28/11	ADOPT: 8035.5	08/04/11	AMEND: 80047, 80047.1, 80047.2, 80047.3, 80047.4, 80047.5, 80047.6, 80047.7, 80047.8, 80047.9, 80048.6
09/20/11	AMEND: 12590	Title 7	
09/07/11	ADOPT: 1500.1 AMEND: 1498	08/16/11	AMEND: 218
08/16/11	ADOPT: 8078.2 AMEND: 8070, 8072, 8073, 8074	Title 8	
08/10/11	ADOPT: 10030, 10031, 10032, 10033, 10034, 10035, 10036, 10037	12/13/11	ADOPT: 8351, 8356, 8376.1, 8378.1, 8387, 8391.1, 8391.2, 8391.4, 8391.5, 8391.6, 8397.6 AMEND: 5194.1, 8354, 8376, 8378, 8384, 8391, 8391.3, 8397.2, 8397.3, 8397.4, 8397.5
07/27/11	AMEND: 5064	12/12/11	AMEND: 1541.1
07/21/11	ADOPT: 1844.1	12/07/11	ADOPT: 16450, 16451, 16452, 16454, 16455 AMEND: 16423, 16433 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455
07/20/11	AMEND: 4800, 4801, 4802	11/07/11	AMEND: 6051
07/20/11	AMEND: 150	10/27/11	ADOPT: 2320.10, 2940.10 AMEND: 1512, 3400
Title 5		10/17/11	AMEND: 230.1(a)
11/16/11	ADOPT: 11968.5.1, 11968.5.2, 11968.5.3, 11968.5.4, 11968.5.5	10/17/11	ADOPT: 207.1 AMEND: 201, 202, 203, 207

09/19/11	AMEND: 15201, 15214, 15251, 15300, 15400.2, 15405, 15430.1, 15478, 15481, 15484	11/22/11	AMEND: 1956.8
09/06/11	AMEND: 8608	11/17/11	AMEND: 1233
08/29/11	AMEND: 1504, 3207	11/09/11	AMEND: 2027
08/10/11	ADOPT: 3302 AMEND: 3308	11/08/11	AMEND: 1
08/05/11	ADOPT: 1603.1 AMEND: 1504, 1600, 1602, 1603	10/07/11	ADOPT: 345.03, 345.75, 345.76, 345.77
08/01/11	AMEND: 16423 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455, 16460, 16461, 16462, 16463, 16464	09/15/11	AMEND: 2190
07/28/11	ADOPT: 6799.1 AMEND: 6755	08/23/11	ADOPT: 345.00 AMEND: 345.02, 345.04, 345.15, 345.18, 345.20, 345.22, 345.23, 345.26
Title 9		08/16/11	AMEND: 1800
10/04/11	ADOPT: 7016.1, 7019.6, 7025.7, 7028.7, 7179.7 AMEND: 7098, 7179.1, 7181.1	Title 13, 17	
08/08/11	ADOPT: 4500, 4510, 4520	10/27/11	AMEND: 2299.2, 93118.2
Title 10		Title 14	
12/09/11	AMEND: 2698.302	12/09/11	AMEND: 15062, 15075, 15094, Appendix D and Appendix E
12/09/11	AMEND: 2699.301	12/08/11	AMEND: 632
11/21/11	ADOPT: 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596	12/07/11	AMEND: 870.17, 870.19
10/20/11	AMEND: 2222.12	11/22/11	AMEND: 791.7, 870.17
09/26/11	ADOPT: 2785	11/17/11	AMEND: 163, 164
09/26/11	ADOPT: 2830	11/15/11	AMEND: 700.4, 701, 705 REPEAL: 704
09/26/11	ADOPT: 2725.5, 2960, 2961, 2962, 2963 AMEND: 2930	10/05/11	AMEND: 913.4, 933.4, 953.4, 959.15 REPEAL: 939.15
09/22/11	AMEND: 2318.6, 2353.1	10/05/11	AMEND: 913.4, 933.4, 953.4, 959.15 REPEAL: 939.15
09/22/11	AMEND: 2318.6, 2353.1, 2354	10/04/11	AMEND: 29.15
08/11/11	AMEND: 2731	09/28/11	AMEND: 11900
08/01/11	AMEND: 3012.3	09/22/11	AMEND: 565, 565.4, 566, 566.1, 569, 570, 571, 572, 573, 576, 583, 593, 598.60, 599
07/27/11	AMEND: 2770.1, 2847.3	09/22/11	AMEND: 7.50(b)(1.5), 27.65, 29.80
07/25/11	AMEND: 2222.12	09/16/11	AMEND: 11900, 11970
Title 11		09/08/11	AMEND: 300, 311
12/08/11	ADOPT: 117.1	08/30/11	ADOPT: 3550.16
11/14/11	AMEND: 1008	08/29/11	AMEND: 502
11/01/11	AMEND: 1009	08/08/11	ADOPT: 1052.5 AMEND: 895, 916.9, 936.6, 956.9, 1052, 1052.1, 1052.2
10/25/11	AMEND: 1005, 1007, 1008	08/03/11	ADOPT: 1051.3, 1051.4, 1051.5, 1051.6, 1051.7 AMEND: 895
10/07/11	ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22	07/22/11	AMEND: 852.60.2, 852.60.3, 852.60.4, 852.61.1, 852.61.2, 852.61.3, 852.61.5, 852.61.6, 852.61.7, 852.61.8, 852.61.9, 852.61.10, 852.61.11, 852.61.12, 852.62.1, 852.62.2, 852.62.3
10/06/11	AMEND: 30.14	Title 15	
10/06/11	ADOPT: 30.16	12/13/11	ADOPT: 3504.1, 3504.2
09/28/11	AMEND: 1081	12/09/11	AMEND: 3000, 3006, 3170.1, 3172.1, 3173.2, 3315, 3323
09/28/11	AMEND: 1005	12/05/11	ADOPT: 1712.1, 1714.1, 1730.1, 1740.1, 1748.5 AMEND: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.1, 1747.5, 1748, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788 REPEAL: 1757
09/02/11	ADOPT: 101.2		
09/02/11	AMEND: 101.1		
Title 13			
12/14/11	AMEND: 2025		
12/14/11	AMEND: 2449, 2449.1, 2449.3 (renumbered to 2449.2), 2775, 2775.1, 2775.2 REPEAL: 2449.2		
12/05/11	AMEND: 553.70		

12/01/11	ADOPT: 3571, 3582, 3590, 3590.1, 3590.2, 3590.3 AMEND: 3000	1285, 1286, 1287, 1288, 1289, 1290, 1291
11/14/11	AMEND: 3341.5, 3375.2, 3377.1	09/22/11 AMEND: 109, 121
11/10/11	ADOPT: 3359.1, 3359.2, 3359.3, 3359.4, 3359.5, 3359.6 AMEND: 3000	09/19/11 AMEND: 1715, 1735.2, 1751, 1784
10/25/11	ADOPT: 2240	09/13/11 AMEND: 3830
10/06/11	REPEAL: 3999.7	09/07/11 ADOPT: 319.1
09/27/11	ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323	09/01/11 AMEND: 1793.5
08/16/11	ADOPT: 3769, 3769.1, 3769.2, 3769.3, 3769.4, 3769.5, 3769.6	08/31/11 AMEND: 2411, 2414
08/03/11	AMEND: 3000	08/24/11 AMEND: 1399.157, 1399.160.3, 1399.160.6
07/28/11	ADOPT: 3084.8, 3084.9, 3086 AMEND: 3000, 3084, 3084.1, 3084.2, 3084.3, 3084.4, 3084.5, 3084.6, 3084.7, 3137, 3173.1, 3179, 3193, 3220.4, 3482, 3630, 3723 REPEAL: 3085	08/18/11 ADOPT: 1315.50, 1315.53, 1315.55
		08/18/11 AMEND: 995
		08/17/11 AMEND: 974
		08/03/11 AMEND: 999
		08/01/11 AMEND: 1327
		07/21/11 AMEND: 1005
		07/20/11 ADOPT: 4145 AMEND: 4141

Title 16

12/12/11 AMEND: 1361

11/22/11 ADOPT: 858, 858.1, 858.2, 858.3, 858.4, 858.5, 858.6, 858.7, 858.8, 858.9

11/16/11 AMEND: 950.1, 950.4, 950.5 REPEAL: 962.3, 962.4, 962.5, 962.6

11/01/11 ADOPT: 3392.2.1, 3392.3.1, 3392.4, 3392.5.1, 3392.6.1 AMEND: 3340.1, 3340.16, 3340.16.5, 3340.41, 3392.1, 3392.2, 3392.3, 3392.5, 3392.6

10/25/11 REPEAL: 929

10/17/11 AMEND: 2300, 2302, 2303, 2304, 2311, 2315, 2320, 2321, 2322, 2324, 2326, 2326.1, 2327, 2328, 2328.1, 2329, 2330, 2331, 2332, 2336, 2337, 2338, 2339, 2340, 2351, 2370, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388

10/12/11 ADOPT: 1070.6, 1070.7, 1070.8 AMEND: 1070, 1070.1, 1070.2, 1071 REPEAL: 1071.1

10/10/11 AMEND: 2450, 2451

10/06/11 ADOPT: 1399.507.5, 1399.523.5, 1399.527.5 AMEND: 1399.503, 1399.523

10/04/11 AMEND: 972

09/29/11 AMEND: 1398.26.1

09/27/11 ADOPT: 3394.40, 3394.41, 3394.42, 3394.43, 3394.44, 3394.45, 3394.46

09/22/11 AMEND: 1202, 1203, 1204, 1205, 1208, 1208.1, 1210, 1211, 1213, 1214, 1221, 1223, 1223.1, 1225, 1229, 1230, 1234, 1240, 1241, 1243, 1244, 1245, 1246, 1253, 1253.5, 1253.6, 1254, 1256, 1258.3, 1267, 1268, 1269, 1271 REPEAL: 1280, 1281, 1282, 1283, 1284,

Title 17

12/14/11 ADOPT: 95116, 95117, 95118, 95119, 95120, 95121, 95122, 95123, 95129, 95150, 95151, 95152, 95153, 95154, 95155, 95156, 95157 AMEND: 95100, 95101, 95102, 95103, 95104, 95105, 95106, 95107, 95108, 95109, 95110, 95111, 95112, 95113, 95114, 95115, 95130, 95131, 95132, 95133 REPEAL: 95125

12/13/11 ADOPT: 95801, 95802, 95810, 95811, 95812, 95813, 95814, 95820, 95821, 95830, 95831, 95832, 95833, 95834, 95840, 95841, 95841.1, 95850, 95851, 95852, 95852.1, 95852.1.1, 95852.2, 95853, 95854, 95855, 95856, 95857, 95858, 95870, 95890, 95891, 95892, 95910, 95911, 95912, 95913, 95914, 95920, 95921, 95922, 95940, 95941, 95942, 95970, 95971, 95972, 95973, 95974, 95975, 95976, 95977, 95977.1, 95977.2, 95978, 95979, 95980, 95980.1, 95981, 95981.1, 95982, 95983, 95984, 95985, 95986, 95987, 95988, 95990, 95991, 95992, 95993, 95994, 95995, 96010, 96011, 96012, 96013, 96014, 96020, 96021, 96022

12/12/11 ADOPT: 95312 AMEND: 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, 95311

11/17/11 REPEAL: 901

11/10/11 AMEND: 94508, 94509, 94510, 94512, 94515

09/27/11 AMEND: 2505

09/23/11 AMEND: 6540

09/21/11 AMEND: 56034

09/19/11	AMEND: 54342, 57332	09/08/11	ADOPT: 3929.7
09/08/11	AMEND: 60201	07/27/11	AMEND: 3939.19
08/29/11	ADOPT: 58883, 58884, 58886, 58887, 58888 AMEND: 50604, 54355, 58543	Title 25	
Title 18		09/19/11	ADOPT: 4356.1, 4516.1, 4516.3, 4516.7, 4516.9, 4517.1, 4517.2, 4517.4, 4517.6, 4519.1, 4520, 4520.1, 4520.2, 4521, 4522.1, 4522.2, 4522.3, 4522.4, 4522.5, 4522.6, 4522.7, 4522.8, 4523, 4523.1, 4523.2, 4523.3, 4526 AMEND: 4000, 4004, 4005, 4010.5, 4019, 4350, 4353, 4356, 4358, 4358.3, 4363, 4365, 4368, 4369.5, 4380, 4381, 4383, 4387, 4389, 4391, 4394, 4396, 4397, 4402, 4404, 4414, 4415, 4473, 4495, 4514, 4515, 4516, 4516.5, 4517, 4517.3, 4517.5, 4518, 4519, 4522, 4525, 4527, 4528, 4529, 4530, 4531, 4532, 4533, 4534, 4876 REPEAL: 4354, 4357, 4357.5, 4359, 4360, 4360.2, 4360.4, 4360.6, 4360.7, 4360.8, 4361, 4361.3, 4362.5, 4363.3, 4363.4, 4363.6, 4364, 4369, 4370, 4371, 4372, 4374, 4376, 4379, 4384, 4385, 4407, 4409, 4420, 4421, 4422, 4423, 4424, 4425, 4426, 4428, 4429, 4430, 4431, 4434, 4435, 4436, 4437, 4438, 4439, 4440, 4441, 4442, 4443, 4444, 4445, 4446, 4450, 4451, 4452, 4453, 4455, 4456, 4457, 4458, 4459, 4460, 4461, 4463, 4464, 4465, 4468, 4469, 4470, 4471, 4474, 4475, 4475.2, 4475.5, 4475.7, 4476, 4476.5, 4477, 4478, 4479, 4480, 4481, 4482, 4483, 4484, 4485, 4486, 4492, 4493, 4494, 4496, 4497, 4498, 4498.5, 4500, 4501.7, 4505, 4506, 4517.7, 4535, 4536
10/10/11	AMEND: 3020, 3301, 4500, 4504, 4507, 4508, 4509, 4600, 4609, 4700	08/02/11	AMEND: 6932
09/26/11	AMEND: 19591	Title 27	
09/26/11	AMEND: 1533.2, 1598	11/28/11	AMEND: 25903(c)
09/22/11	ADOPT: 25128.5	10/12/11	AMEND: 25703(a)(6)
08/16/11	ADOPT: 1685.5	09/26/11	AMEND: 25805
07/20/11	AMEND: 25106.5-11	09/08/11	AMEND: 27000
Title 22		Title MPP	
12/06/11	AMEND: 40741	10/31/11	AMEND: 31-502.42
11/21/11	AMEND: 66260.11, 66260.12, 66262.53, 66262.56, 66263.32, 66264.12, 66264.71, 66264.72, 66265.12, 66265.71, 66265.72	10/24/11	AMEND: 44-111.61
09/29/11	AMEND: 72516, 73518	07/28/11	AMEND: 63-402.22
09/22/11	ADOPT: 64419, 64420, 64420.1, 64420.2, 64420.3, 64420.4, 64420.5, 64420.6, 64420.7 AMEND: 64418, 64418.1, 64418.2, 64418.7		
09/16/11	ADOPT: 2706-8 AMEND: 2706-1, 2706-2		
09/13/11	AMEND: 50605		
08/23/11	AMEND: 97212, 97213, 97228, 97229, 97232, 97240, 97241, 97246, 97248		
07/21/11	AMEND: 50035.5, 50145, 50179.5, 50183, 53845 REPEAL: 50245		
Title 22/MPP			
11/10/11	AMEND: 35000, 35001, 35325, 35326, 35329, 35331, 35333, 35334, 35337, 35339, 35341, 35343, 35344, 35345, 35351, 35352, 35352.1, 35352.2, 45-801, 45-802, 45-803, 45-804, 45-805, 45-806, 45-807 REPEAL: 35327, 35347, 35352.3		
09/29/11	AMEND: 86500, 86501		
Title 23			
11/03/11	ADOPT: 3949.8		
11/01/11	AMEND: 3937		
10/20/11	AMEND: 1062, 1064, 1066		
10/19/11	ADOPT: 2200.7 AMEND: 2200, 2200.6		
09/15/11	ADOPT: 3945.2		